P7.7-98

G. R. S. IX-5]

Previous references. (1897-98)
~~191~~ .
(L. R.)

File No 75-97

Serial Nos. 1-10

Later references.
LR 257-25-(1-6)
LR 270-26-(1-4)
LR 40-28-1

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-10

In ~~Part~~ B for July 1898

SUBJECT.

Claim to the Inamship of Nirsanal and 3 other Villages in Kankanadi Taluq

---

Countermarked
S. Rau

W D 1250—GPB—30,000 28-1-19

Indexed

Petition No 3.
A.S. 159/97-98 1 : 7

Petitioner : Suryanarayanaiya I
son of Ramaiya
Kabbalu village
Kankanhalli
taluk.
Bangalore.

C-petr 1. Suryanarayanaiya II
2 Rama Hudugi

Subject :-

Appeal against the order of the Dy Comm^r, Bangalore (N^r I, dt 2-7-97), confirming the order of the Sub-Divn Officer, rejecting the petitioner's alleged claim to the Shanbhogi of ~~Kankanhalli~~ Soornahalli and three other villages.

Facts of the case as claimed :-

On 20-1-92 Hanuma, father of the petitioner put in an argi to the taluk stating that the Shanbhogi Register of the following

following villages

1 Kalbalu
2 Mallahalli
3 Sorinahalli
4 Kammavagara
5. Narasevanahalli
6. Bilikapatrapura
7. Alur.
8 Kanchanahalli
9. Goramanapura
10 Halasinapurada-
halli.
11 Kumbaranahalli

were in his name, that
of these the Shanbhoki of
1, 2, 5, 6, 7, 10 & 11 shall
go to Ramchandraiya his
grandson* while that
of the remaining 4 villages
(3, 4, 8 & 9) shall go
to his youngest son Singa-
rasanaiya I — the Ist.

(On the same
date the fourth Shivacharan
took the deposition of the
aforesaid Ramaiya which
runs as follows:-

"I am over 75 years
of age. I have been ill
these 1½ months and am
consequently

Rāmaiya
|
Rāghavaiya
|
Rāmachandraiya (I)
(1st)

Hanumaiya (Cousin to Rāmaiya)
|
Bhadraiya
|
Singarasanaiya (II)

Subbaraiya

consequently very weak. I ~~do~~ do not think I will live long. I wish that ~~the~~ my Shanbhoks of 7 villages, ~~mentioned~~ that mentioned in the vazi, shall be registered in the name of Ramabhadra-iya (son of my first son Raghavaiya) aged 25, and that of the remaining 4 villages in the name of my second son Suryanarayaya, aged 38. I have no children but these two persons. The vazi and the deposition are given ~~according~~ of my free will. The Shanbhokis of the said villages as divided above have been looked after by the respective persons Suryanarayaya (or Surya-narayaya) and Ramabhadraiya have consented to the above division."

On the same date
the

the said Rama Chandraya
and Sriyamanayaya I were
called upon to depose when
they expressed their consent
to the division of Shankhoki
hiyavaka ~~petty~~ of the Ramnaiya.

At the end of these
depositions the Shirastedar,
in submitting the matter
for the orders of the amildar,
stated that he went to the
village where Ramnaiya
lived in order to register
a document at the request
of one Venkatasubbaiya,
that the above age of
Ramnaiya, so much reduced
by disease and consumption
of his, assuming the false
effects of it, was there
submitted to him, & that
the above depositions were
then taken.

On 18-3-92 Soya-
manaiya II petitioned
the Assistant urging ~
that his grandfather
Hommaya and the said
Ramnaiya were joint
[illegible]

baravaddan - the first enjoying the Shanbhoki of the four villages — (Soornakalli and others) and the second that of the seven villages - (Kaikeni and others); that after the demise of his grand-father Hosnaiya his father Bhadraiya began to look after the Shanbhog (of the said 4 villages); that when his father died about 30 years ago he was a minor; that the said Ramaiya was therefore looking after the Shan-bhoki which belonged to him; that he having passed the minority in the year Vishu, obtained from his "uncle" Ramaiya his hereditary Shanbhoki of Soornakalli and three other villages; that subsequent to the death of Ramaiya (i.e. in 1871) a small quarrel took place

x Soornakalli
Hosahalli
~~Kaikeni~~
Muralekanahalli
~~Kaikeni~~

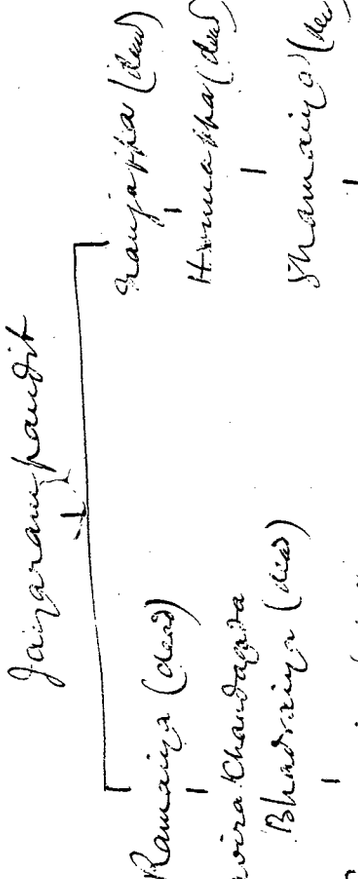
x Giravanahalli.

place between himself
and his namesake Kunja
Kamanaiya I over a fee
which incident the latter
has been harassing him
by setting up the right
of his villagers against
him, by throwing in ob-
-stacles in the Vannadi work,
and by giving out that he
need not the fetter was, he
need have any, and praying
that the Government may there-
-fore in cancellation of
the joint Karnavanship, make
him a separate karnavan-
-dar for his 4 villages;
& prohibit Surya Kunjaya I
from meddling with his rights.

No Document sent
this petition to the Fine Farm
Officer, Cotzepet, for di-
-rect who then directed* the Munsiff of Kankan-
-hadi to furnish all
information in the matter.

No 6, & 26-6-92.

On 8-6-92 notice
was ~~issued~~ served on to Suryanarayan II



by the Amildar to appear before him. He deposed; and in his deposition repeated the facts of his foregoing application addressed to the Deputy Commr and produced a pleadal Karar of 12th Nov. 1837 executed between the four karavaddars — the said Ramaiya and Hanumaiya Cousins. The pleadkarar was from Ramaiya to Hanumaiya (& Hanumaffa) and runs as follows: —

"As my great grandfather Bhatraiya, and your grandfather are born* of the same "mother" *(stock) — vide Genealogical Tree in the Margin — no division (of property) has taken place between us as between brothers. You petitioned the "Sirkar" for a share in the Shanbhoga and accordingly the Amildar (Gopalaiengar) has been directed (by the Sirkar) The Amildar has sent for us both and appointed Panchayetdars to decide our case. In the presence of these Panchayetdars who have

* Offspring —

have heard our case be heard.
Come to this amicable settlement, by
that I should hereafter look
after and enjoy the shanbhogi
of the 7 villages: (1) Kabbalu,
(2) Billapatapura, (3) Kanchana-
-halli, (4) Kurubarahalli,
(5) Halasinapuradahalli, (6)
Gowdanapura + (7) Alur;
and you that of
(1) Soonahalli (2) Hosahalli*
(3) Ramachandrahalli* +
(4) Kanakapura. Here
also agreed to divide equally
what the Govt pays as re-
muneration. Thus the dis-
-putes between us has been
settled. We possess no moveable
property to be divided between
us. The question of division
of property is settled."

In this connection an
extract from the Shanbhogi
Register of 1863-64* of the Talaq
was also produced wherein,
under col(12) "Hissedars or
Joint Hissedars" the follow-
ing mention is made:

"Joint Inamdars having long
existed in the names of Hanumaiya
and his "brother" Ramaiya,
it has been ordered to stand
in the name of the latter only
after

* [Note- These two villages are not the villages granted by Ramaiya to his son Sangamaiya (vide page 2 of this proceedings)

* Illegible

after the demise of the former
Bhadraiya, 1/2 son of Honnaiya
has been actually working
after (shamilat of) the 4
villages found in the joint
varavara." Again the
under col 13 (Action officer's
Ramaiya's name is entered.

On 31-12-'92 Summons
were served on Siriyamanaiya
and Ramakkadraiya to
appear before the Amildar.
At the back of the Summons
thus served on Siriyamanaiya
he states that as the date
appointed for his appearance
happened to be the anniversary
of the death of his father he
could not attend, and prays
that another date may
consequently be appointed.

The date was accordingly
altered to 25-1-93, and
another set of summonses
served upon the 2 persons.
Siriyamanaiya I again
excused himself by saying
that he had to attend on
24-1-93 the Sub Judge's Court
Bangalore where he had
filed

filed a suit. The alternate Ramachandraiya also failed to attend on account of stomach-ache.

On 29-8-93 the Amildar in summarising the above facts and recording the Inspection officer, Crosfield stated that he had proceeded to make local enquiry and found the statements of Thyamanaiya II all true, that the latter had been doing duty for 12 years; that the argi of Ramaiya in which he testified of the Shanbhogi of all the 11 villages between his grandson and son was not to be regarded as it was effaced by the fact of the Record; that it was a deliberate plot laid by the son and grandson of Ramaiya to deprive Thyamanaiya II of his hereditary Shanbhogi of his 4 villages & that they therefore caused Ramaiya to present his argi not when he was about to die.

1862, 29-8-93

The report suggested that-

that the said Ramayya
and may be rejected, and
that Sreeramamurthy II's
name may be registered
in place of his father Chenna-
iyya (deceased).

Whereupon the Amildar
was called upon to issue the
Succession Certificate with the
Varasdaru Register of
the Mobli.

On 17-11-93, the
Sub-Divn. officer fixed
18-12-93 as the date for
hearing the claims of —
Sreeramamurthy II and
issued notices to the Shan-
bhoki-bigadars of the said
11 villages directing them
to bring forward their —
takaras, if any, within
the said date only. Similar
were also issued on two
more occasions (i) (ii) and served
on the parties. Ramaiyya
-iyya could not be present
on 25-6-94 when he was
to have produced a correct
genealogical tree. His
reason for the absence was

that

(i) 25-6-94
(ii) 19-7-94

that he had to attend the Subordinate Court at Bangalore on 28-6-94. He as well as others were consequently given time till 25-7-94.

On 19-7-94 Sriyamaraja T deposed before the Enquiry Officer as follows:-

Karnamaried 18- in the file.

"Two years have passed since the death of my father Ramaiya which happened on the 7th day of the dark-half of Kartika in the year Khara. My father had an elder son Kenchaiya. The latter died leaving a son Rama-bhadraiya who is now about 20 years old. I am the 2nd son of Ramaiya who succeeded the Shanbhoge of Kabbalu Hosahalli, Soosenahalli, Kumbenahalli, Hulsimanadahalli, Kamma-sagara, Billapatchina, Alur, Narasennahalli, Kanchanahalli & Gowramapura. During the life time of Ramaiya I was working after the Shan-bhogi of the said 11 villages. Ramaiya while he was alive gave me the shanbhoge of Kanchanahalli, Gowrama-

-pura

pura, Soonahalli, + Kaama-
-sagara while he gave
to Ramabhadraiya, my Gr
that of the remaining villages
After the death of Ramaiya
Kamekamahalli and
Goravanapura began the work of
Kabbale, Hosahalli, Kuma-
-vana halli + Hulasinapura
halli by Ramabhadraiya,
And Soonahalli, Kaama
-sagara, Alur + Bellapatte-
pura + Nagadevanahalli by Srinyanananaiya (I)
I sent my cousin Rama
bhadraiya to the talluk in
the year Vibhuti for ~~collecting~~ alleging
the Accounts of that year. He
took Srinyanarasaiya (I)
and ~~went to the talluk~~, with him
and asked him, if he would
to carry the accounts of
his said 5 villages. Since
then Srinyanaraiya (II)
has been looking after the
accounts of those villages.
Srinyanaraiya (II) is my
cousin removed & degree
seen in the Genealogical
tree I have produced. The
Shanbhoki is a hereditary

one

one. Of the villages near
looked after by Suryanarayana (I)
half the three shares to him
and half to me. I have no
documents or evidence to offer.
I myself asked the
help of Suryanarayana (II)
and Ramabhadraiya (son of Subbaraya)
and remitted them to share
among them half the emoluments.
There is no karar. I wish
that the honour should be
changed to the respective persons
according to my father's will.
I have already presented
the will. I call my father's
writ a will."

The same Suryanarayana I
on cross exam^n
deposed as follows:—
The defendant's pleader has not been
the share-holder of the three
villages: Alur, Kanakeremahalli,
Bollapatapur for the last
14 years. Suryanarayana (II) (his nephew)
has got some of the old
accounts of these villages
with him. His handwriting
is to be seen in the accounts
of 14 years. My brother Raghavaiya
died in Bahudhanya and
I took the main help from
Vikrama. The accounts
previous to this are my father's

Suryanarayana II

as well as mine. The accounts of Sirumakalli and Kammasagara are in the handwriting of Ramabhadraiya, son of Subbaraya while those from Vikrama to Vikriti are in mine. That man is my cousin Suryanarayana II (the deceased) has been in charge of (the accounts) since the death of the said Ramabhadraiya, his cousin* Sahajiraiya is the brother of Ramabhadraiya. After Ramabhadraiya died, Sahajiraiya did not know how to keep accounts and consequently Suryanarayana (II) has been doing the work."

Ramabhadraiya then deposed as follows:—

"I heard my uncle Suryanarayanaiya. He and I are not divided. I have sued him for my share in the Court of the Sub-Judge. My father had the Pharmaki of Kaibala Kotha II village. The whole harvest should be made in my name because

* ಚಿಕ್ಕ ತಂದೆಯವರು.

I am descended from the elder son (of Ramaiya).

"The def[t] Sriyamanaiya (II) has been looking after the work of the villages. I have known him working since Kilkoti. He shared his mirasi with none. He has been keeping his accounts with him only. I know nothing of his title to the shanbhoki of these villages".

Sriyamanaiya II was then asked to depose: he then repeated the statements of his foregoing arzi*.

On 3-5-95 the Rev. Divl. officer passed the following order[x]:—

"Recds were all perused. The parties belong to a corporate family. Ramaiya a descendant of the senior line had the shanbhoki of 11 villages registered in his name, and in a dispute which arose in 1839 between him and (his cousin) Hanumappa of the other line it was settled that the shanbhoki of Sirsanahalli, Hosahalli, Nuradenahalli & Kannayyana shall

* end of sheet. (Mysis)

[x] No 278, of 3-5-95

shared belong to the latter and the rest to Ramaiya. After the demise of Hemaiya the shanbhogi passed on to his son Bhadraiya and subsequently to the present Ayyamaraiya (II).

"Now it is necessary to overlook the taking of Hemaiya and his descendants who have enjoyed the shanbhogi for nearly 56 years, just because Ramaiya's name is mentioned in the Register.

"It is ordered therefore that Ayyamaraiya, the son of Bhadraiya, shall enjoy as heretofore, watan as shanbhoga of the said four villages and Ramabhadraiya of the seven villages of Ramaiya.

"The talaiaris' names shall be entered in the register as talaiaris for their respective villages. Let the shanbhogi Register of the different villages

villages belonging to the share he becomes he should be called in their respective names."

On 8-6-95 Copy of the above order was applied for by Srinivasaraja I. The same was ordered* on the basis of the application that while his father's shares in the 4 villages was ordered to be Ramachandraraja no shares in any village was ordered to pass to himself, and that if he wanted a copy of the order he might obtain it from the Sub-Court Office.

* No 1033 of 4-6-95

Applicant

On 2-7-95 Srinivasa-
-raghavaraja I preferred an appeal* before the Court against the foregoing order of the Sub-Court Office stating that the 1st & 2nd respondents conspired in defrauding him of his accounts of Kanna-
-pagara and Soonahalli which formed his portion according to his father's division; that at the instigation of the 1st respondent, the 2nd respondent put in a tankara - petn to the effect stating

* Misc. Case No 21 of '95-96.

Srinivasaraja II son of Ramaraja

vs

(1) Ramachandraraja son of Ramaraja

(2) Srinivasaraja III son of Bhadraja

stating that the aforesaid two villages belonged hereditarily to him;

that the said Sub Collector enquiry was superficial

that the Shanbhogki of Kuchinamakki and Gra-
-mapura, ordered to go to the 1st respondent, was, according to agreement, to have passed on to him instead of to the 1st respon-
-dent

& that the 2nd respondent had no part in the Shan-
-bhogi of Somanahalli and Kannasagara, & that even if he had any such part it was barred by the long enjoyment of the appellant's family.

He prayed that the order of the Sub Collector wresting from him the Shanbhogki of two villages may, after enquiry, be set aside; and that his enjoyment of the Shanbhogki of 4 villages may not be interfered with

with while his appeal was pending.

On 5-7-95 the following order was passed upon the appeal petn:-

"The order directing Ayyanarasaiya (late Ramasamy son) to hand over charge of his village, to Ramakrishnaiya immediately and to Ayyanarasaiya (II) should be held in abeyance till orders are passed in the appeal."

"The records should be submitted with a report on the points urged (written)"

The order was communicated to the Sub-Divn Officer. The records were also sent to the Dy Comm: who, on seeing which, observed[x] as follows

[x] Nr 20, dt 14-12-96

"The latest Govt. Nr 1033 and the Sub Divl Officer's order do not agree, what is the reason? The Sub Divl Officer's order clearly states that the register should be changed in the name of Ayyanarasaiya: why has it not been done ~~acted~~ ~~to~~ accordingly? Report immediately on the matter."

The report in reply stated

stated that the Dy. Comm.r had confounded the two Kuyamanaiya; that in order to distinguish them marks B & C were made against their names in the Encumbrance Tree, and while the mark A was put against that of Rama-bhadraiya; & that the appellant was Kuyamanaiya C, and not B in whose favour the Revenue Officer had passed the order.

Thereupon the Dy. Comm.r ordered that he found no reason to interfere with the order of the Revenue Officer; and that an Enq.y be given to that effect to the appellant and the file returned.

On 29-7-97 the said Kuyamanaiya I appealed to this office against the above order of the Dy.-Comm.r. His appeal petition* was forwarded to the Dy. Comm.r for sub-mission

Manu/23

✓ No 1, dt 2-7-97

* No 333, dt 29-7-97

Mission of entire proceedings and a full report in the matter.

The Tehsildar in his observations as follows:—

"Each claimant is placed by the petitioner on his back that is, after Ramaiya, when a man dies, he gives the 4 of the eleven villages to himself and the remaining seven to his nephew Rama-bhadraiya. The Tehsildar ~~thereafter reports~~

× × × × ×

"It is a question of such a division of all 11 villages by Ramaiya among his own descendants (i.e. his son the petitioner and his brother's son) can each agitate the claim of the other branch of the family which has all along held four of those villages. The petitioner, instead of claiming a division out of the 7 villages in the possession of his nephew, attempts to take away the four that are

Man can dispose only of what he, himself, acquires

the hand of the other branch
of the family, merely because
his father, while dying,
said, that all were to
belong to him and his nephew.

4/1/98

The subject-matter of the
claim is the Shanbogue
4 villages viz Soornahalli,
Kariekallingi, Gowrampalya
& Kambasagara
The pet[r] claims this in
virtue of a will of the
two-called
father which happened by
reason of the minority of
the c-pet[r] Nanjundaya
to be the registered for
some years of these 4
villages. But the
Sub[r] Offic-r the Asst Com[r]
has agreed with him - has
found that the Shanbogi
belongs rightfully to the
pet[r] c-pet[r], as the murasu
has all along been enjoyed
by him & the settlement
of 1439 & other records recog-
-ized the pet[r] c-pet[r]'s ancestors

of their Soornahalli
Gowrampalya belonged to
Ramaiya, pet[r]'s father
at the time of his death
and to his friends (by
the eldest son) Channabasaya

Pte having to be the
Secretary of the Finance
Committee, & as necessary
to act as Secretary
to the Trustees of the
Hillage & Property belonging
thereto & to pay over
Rents & Income
& to act generally

Yours &c
Wm Simpson
Solicitor

P.S. Should the Trustees
not be appointed in 1896 Mr Pte
can still act as they have been fixed
If so the Rent has not
the Hillage have been
divided may have come
in the meantime, Pte then
perhaps may prefer
under Rule XIX to stand

Please answer
Mr Parkinson
about this

Leeds
12.1.98

Attended to
& Corr
My 15/1/98

The D. Comm^r who was addressed on the subject would that the Robyn Settlement was not yet introduced

— The Survey Dept. who was thereupon requested to state when the settlement will be introduced, stated that the introduction of the Robyn settlement will take at least 2 years more

2

The case is perfectly clear & the pet^r has absolutely no claim to the share of the 4 villages in question, the finding on this point by the Sub Dr Mr & the D. Comm^r being concurrent

But the claim could no have been urged had the

Barabakuti Reporters been
Corrected from time to time
on the death of the hukdars
& hukdedars. The Barabakuti
Repr of 1863-64 has recorded the
fact that Bhadrarayya was
looking after the duties of 4 of
the villages. The enquiry held by
the Amildar & the Asst Dr office has
elicited the fact that Suryanarayya II
was a minor at the time of Bhadrayya's
death, & that, inside the attaining
his majority in or about 1883, he
has been doing the duties.

= The 4 villages as mentioned in the
will of Ramayya as bequeathed
by the pet[r] belong partly (two)
to the pet[r]'s nephew & partly (two)
to Suryanarayya II

Ramappa
|
Bhadrayya
|
Suryanarayya II

Ramayya looking after the
duties of the 4 villages
in addition to his own village

Before the Government of Mysore.

Appeal No. 15 of 1897-98.

Appellant.	Vs.	Respondents.
Kyamaranaya, Son of Ramaiya, Kabbali Kankanhalli Taluk.		1. Shyamaranaya II Son of Bhimaiya 2. Ramabhadraiya.

Appeal against the order of the Deputy Commr of Bangalore, rejecting the appellant's claim to the Shanbhogi of Surmallli and 3 other villages in the Kankanhalli Taluk.

Notice to the 20th June
Sub to 1st Committee
per General
23/5/98

9046

Copy on Shot
Register's Summons
for 1899 -
after close of Taluk
work is done.

23/5/98

23/5/98

Record Register Petitioner
to instruct Counsel
Papers returned.

Register Respondent -
S.S. 14/2/99

Abstract (contd.)
29 VRS 30/7/97

Subsidiary

Petitioner appeared. Stamp fee
Petitioner appeared. Exempted
5th-7-97.

20/8/97

(3) Appeal against Dy Commr's order affirming the said Asstt's order rejecting pet's claim to the Shanbogue of 4 villages.

(4) Council Case.

= Pet's prays for an early order

Sd. to 2nd Council

24/8/97

Rd 7.20 Pm
24)8-97

Counter
rebuttal
record with
25/8/97

Hll
25/8/97

For O M
M 26/8/97

Drafted
E 26/8/97

(1)

189

S S (W.V.) 97-98

Name of Petitioner Sooryanarian

Village Kabbale

Taluk Kaikundhalli

District Bangalore

Date of Arzi 29-7-97

Date of Receipt 30-7-97

Date of Disposal

No. of Enclosure 2

ABSTRACT.

This is an appeal against the ordering [illegible] Commr. Bangalore, declining to interfere with the decision of the Asstt Commr's Office in the matter of transfer of the Shanbogue Watan of the petr over Kaikundhalli and otherwise to another man having no claim whatsoever over it.

=

States that one Ramaiya the petrs father enjoyed (being the Registered Watandar) the Shanbogue Watan of 11 villages - Kabbale &c.; that he (petr) and another Raghavaiya were the sons of the said Ramaiya; that while Raghavaiya was

Ramaiya

Somanaiya | Raghavaya

Ramabhadraiya

pt. 19 or 20 years ago, the estate was divided between the pet[r] and Ramabhadraiya, the said Raghavaiya's son, the families living separately since then; that on 20-1-92, previous to his death, the ~~Registered~~ registered-holder, Ramaiya, filed a pet. in the taluk to the effect that 4 of the villages over which his ~~family~~ had exercised Mg-Kanchanahalli, Gowramapura, Somanahalli & Kambasagara - should belong to his son the pet[r] and the remaining 3 to his grandson, Ramabhadraiya; that to this arrangement the latter and the pet[r] agreed, and recorded their satisfaction; that after this, when the pet[r] had fallen ill on one occasion, he asked his nephew (Ramabhadraiya) to keep him ~~with~~ the presentation of the accounts of the two villages, Somanahalli and Kambasagara and that this nephew of his not only robbed him of the accounts but transferred the hak to one Sivayyanaraniya, son of Bhadraiya, who had no claim whatsoever over the Shanbhogi of those villages.

The pet[r] further states that he submitted 2 or 3 reports to the Taluk against this act, and that no notice was taken of them; that Ramabhadraiya also submitted a Kannada petition stating that out of the 7 villages granted to the petitioner's family viz Kambasagara

* pt[r]'s namesake

and Ramaiya, jointly [illegible]
Rama[illegible]
Khan that the name
also appeared in the
Revenue office that the
[illegible] Ramaiya
and Gopaiya shared
ded from Khan and that
this was against the
Phisal of Ramaiya, the
Registered holder and
of the Pet[illegible]; that the
officer decided in the
favour of the phisal Kaiphia
of Ramaiya in the Taluk, the
the said two villages (Kanchan
and Gopaiya) should
belong to Ramakrishnayya
far as the Shanbhogi was
concerned, of course - while
the remaining two Somakka
and Ramalingappa, should
be retained by the claimants
Somayajulayya, the respon-
dent.

The
Pet[illegible] appealed to the Asst. Comm
against this order No. 1033 of
the Sub Div. officer, wherein
the Asst. Comm ordered as follo
which order is the order appeal
against:

"Regarding the complaint
of yours, the report and the
records connected with the
case

...are gone through. You have not adduced any additional reasons to enable us to overrule the Sub-Divisional Officer's decision based upon the Board's Report and the old records. Therefore it is not possible to order in your favour."

Mr Petr states that this Order was passed by the Dy Commr (Mr H. Krishnamurthy) just on the eve of his departure from Bangalore without any enquiry into the matter; and that the Dy Commr had failed to hear the case on his previous dates.

He prays that orders may immediately be issued to the Taluk authorities for transferring the above villages to the Kadur District concerned; and that the said villages may be restored to him.

Enclosures

(1) a Statement

(2) Dy Commr's order dt 9/7/97

9/7/97

No 333

Bdt
To Hall Rly

17/7/97

MYSORE DEWAN'S OFFICE
PETITION DEPARTMENT
RECD. NO. 333 of
DATE 30-7-97

30-7-97

2 ...

...

...

ਸਾਰੇ ਸਿੰਘ ਸਰਦਾਰ ਜੋ ਸਾਰਾ ਦਿਨ ਕੰਮ ਕਰਦੇ ਰਹੇ ਸਨ ਉਹ ਸਾਰੇ ਰਾਤ ਨੂੰ ਸੌਂ ਗਏ ਸਨ ਪਰ ਸਰਦਾਰ ਜੱਸਾ ਸਿੰਘ ਜੀ ਰਾਤ ਨੂੰ ਵੀ ਕੰਮ ਕਰਦੇ ਰਹੇ ਸਨ ਉਹ ਸਾਰੇ ਸਿੰਘ ਸਰਦਾਰ ਜੋ ਸਾਰਾ ਦਿਨ ਕੰਮ ਕਰਦੇ ਰਹੇ ਸਨ ਉਹ ਸਾਰੇ ਰਾਤ ਨੂੰ ਸੌਂ ਗਏ ਸਨ ਪਰ ਸਰਦਾਰ ਜੱਸਾ ਸਿੰਘ ਜੀ ਰਾਤ ਨੂੰ ਵੀ ਕੰਮ ਕਰਦੇ ਰਹੇ ਸਨ

11 ਸਾਰੇ ਸਿੰਘ ਸਰਦਾਰ ਜੋ ਸਾਰਾ ਦਿਨ ਕੰਮ ਕਰਦੇ ਰਹੇ ਸਨ ਉਹ ਸਾਰੇ ਰਾਤ ਨੂੰ ਸੌਂ ਗਏ ਸਨ ਪਰ ਸਰਦਾਰ ਜੱਸਾ ਸਿੰਘ ਜੀ ਰਾਤ ਨੂੰ ਵੀ ਕੰਮ ਕਰਦੇ ਰਹੇ ਸਨ ਉਹ ਸਾਰੇ ਸਿੰਘ ਸਰਦਾਰ ਜੋ ਸਾਰਾ ਦਿਨ ਕੰਮ ਕਰਦੇ ਰਹੇ ਸਨ ਉਹ ਸਾਰੇ ਰਾਤ ਨੂੰ ਸੌਂ ਗਏ ਸਨ ਪਰ ਸਰਦਾਰ ਜੱਸਾ ਸਿੰਘ ਜੀ ਰਾਤ ਨੂੰ ਵੀ ਕੰਮ ਕਰਦੇ ਰਹੇ ਸਨ

12 ਸਾਰੇ ਸਿੰਘ ਸਰਦਾਰ ਜੋ ਸਾਰਾ ਦਿਨ ਕੰਮ ਕਰਦੇ ਰਹੇ ਸਨ ਉਹ ਸਾਰੇ ਰਾਤ ਨੂੰ ਸੌਂ ਗਏ ਸਨ ਪਰ ਸਰਦਾਰ ਜੱਸਾ ਸਿੰਘ ਜੀ ਰਾਤ ਨੂੰ ਵੀ ਕੰਮ ਕਰਦੇ ਰਹੇ ਸਨ ਉਹ ਸਾਰੇ ਸਿੰਘ ਸਰਦਾਰ ਜੋ ਸਾਰਾ ਦਿਨ ਕੰਮ ਕਰਦੇ ਰਹੇ ਸਨ ਉਹ ਸਾਰੇ ਰਾਤ ਨੂੰ ਸੌਂ ਗਏ ਸਨ ਪਰ ਸਰਦਾਰ ਜੱਸਾ ਸਿੰਘ ਜੀ ਰਾਤ ਨੂੰ ਵੀ ਕੰਮ ਕਰਦੇ ਰਹੇ ਸਨ

13 ਸਾਰੇ ਸਿੰਘ ਸਰਦਾਰ ਜੋ ਸਾਰਾ ਦਿਨ ਕੰਮ ਕਰਦੇ ਰਹੇ ਸਨ ਉਹ ਸਾਰੇ ਰਾਤ ਨੂੰ ਸੌਂ ਗਏ ਸਨ ਪਰ ਸਰਦਾਰ ਜੱਸਾ ਸਿੰਘ ਜੀ ਰਾਤ ਨੂੰ ਵੀ ਕੰਮ ਕਰਦੇ ਰਹੇ ਸਨ ਉਹ ਸਾਰੇ ਸਿੰਘ ਸਰਦਾਰ ਜੋ ਸਾਰਾ ਦਿਨ ਕੰਮ ਕਰਦੇ ਰਹੇ ਸਨ ਉਹ ਸਾਰੇ ਰਾਤ ਨੂੰ ਸੌਂ ਗਏ ਸਨ ਪਰ ਸਰਦਾਰ ਜੱਸਾ ਸਿੰਘ ਜੀ ਰਾਤ ਨੂੰ ਵੀ ਕੰਮ ਕਰਦੇ ਰਹੇ ਸਨ

14 I have heard the learned counsel for the petitioner and perused the impugned order dated 29-7-97 passed by the Additional Commissioner, Hissar Division, Hissar. The petitioner has challenged the impugned order on the ground that the Additional Commissioner has not given any finding on the question whether the petitioner was a bona fide purchaser of the land in question or not. The petitioner has also challenged the impugned order on the ground that the Additional Commissioner has not given any finding on the question whether the petitioner was a bona fide purchaser of the land in question or not. The petitioner has also challenged the impugned order on the ground that the Additional Commissioner has not given any finding on the question whether the petitioner was a bona fide purchaser of the land in question or not.

Pet-43 / 28-8-97

(2)

LR 75-97-2

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying Appeal Petitio

No. 133 dated 29-7-97

received at the Dewan's Office from

Sooryanarayanaiah of Kabbalu in the Kankanhalli Th, appealing against the order of the Deputy Commr confirming the order of the Sub Officer rejecting the petr's claim to the Shanbhogi of Kanchanahalli and other villages

(as forwarded, together with its two enclosures, to the Deputy Commissioner of the Bangalore District for submission of the entire proceedings connected with the case, together with a full report of the facts of the case, and on the points urged in the petition.

2. The petition with its enclosures should be returned.

By order,

Chief Secretary.

BANGALORE,

28/8 1897

28/8/97

M.G.C.P.B.—25-4-95—1,000

ಆಜ್ಞಾರ್ಥ
2-12-97 ಪತ್ರಾಂಕ

Rep[t] put up.

AK
2/12/97.
Submitted
BK
3/12/97

Precis ends

M[y] 8/12/97

M[r] E Rama Rao
18/12/97
Precis put up
4/1/98
Noted
5.1.98 MK
Rep[t] to Govt in Mily
Dept
with Precis
8/1/98

Rd 11.50 Am.
8.1.98.

G.O. No. 5943
Pol 295
3 DEC. 97

~~1897~~ 97-98

From The Dy Commissioner Shimoga
Bangalore District

To The Secretary to the Govt
of Mysore
Genl & Rev Departments

Dated 25th November/97
Despatched 27th Do
Received
General No.
No. 709
Enclosures No. 1 file

Encl. Copy Memorandum
No. 1 Sta
Dt. 25th August/97

Reporting on the petition
of Sumanya of the Kab
-bala village in the
Kankanhally Hobli,
regarding his claim to
the Shanbogi of Kancha
-halli & 3 other villages.

Peter M
20.11.97.

Rd
2/12

Bangalore District
Revenue Office
Bangalore 27th November
1894

D. No. 709
Encl. 1 file &c.

The Secretary to the
Government of Mysore
Revenue and General
Departments.

Sir,

With reference to your official Memorandum No. 1st 3+3 dated the 28th August 1894 forwarding for report on the records, the petition of Ramaraina of the Kebbale village in the Kanakanhalli Taluk, complaining that his claim to the Shanbogi of Kanakanhalli and three other villages was not recognized, I have the honor to state as follows.

Ramiah father of the petitioner was the first Patamar

1. Vadiala
2. Vikkatte pura.
3. Kaccheruvu halli
4. Kumbara halli
5. Kalavara nazadahalli
6. Vilur
7. Hanumana pura
8. Kasaballi
9. Kasaballi
10. Kasabakuruva halli
11. Kasaba Lagara.

of the Inamdar of Kasaba village and two of the Shanbhog's dues of the forty villages, while the remaining 4 villages belonged to his cousin, under an agreement effected between them in 1820. On the death of Kasaba Cousin his son Bhimaraya succeeded to the Shanbhogi and after his death his son Ramaraya (the notator may be used to distinguish the man from Ramarayan) the Petitioner succeeded. But the Petitioner being a minor at the time, the Shanbhogi of this village was registered in the name of his uncle, the aforesaid Ramarayan (the father of the Petitioner) Ramarayan died in his absence from the village, and the Petitioner, on his return, says that when he came of age he

The fact of minority is no reason why rights should be lost

When

became dead. The accounts of his
death were given Ramaiya and
his wife differ regarding the duties
of the mother. Ramaiya at the
time of his death was very
18 years he gave the Khandkoji
of 11 years 9 months and 10 days to
his grandmother Ramabhai during
the absence of his father Ramaiya
deceased and that of the re-
maining 6 years with his
S.T. Band to his second son
Laxmanraya the present
petitioner.

3. In the year 1892 Laxmanraya
II Complainant the Khandkar
that the Khandkoji of the
village to be inherited from his
grandfather. From after he had
been invested by the deceased
Ramaiya and given by him
to his two descendants and

Bhagadvati that his name might be registered as Chaukidar of these villages. By a reference to the Karnataka Registration 1965-66 which declares that documents affecting immovable property and which such children were executed in the villages mentioned 8, 9, 10 and 11 in the margin and the agreement of 1959, as well as from local inquiry, the Collector satisfied himself that Sannamma was entitled to the Chaukidgi of these 4 villages. The Subdivisional Officer also examined all the parties concerned and arrived at the same conclusion, wherein he stated that the Chaukidgi of the 4 villages in question should be registered in the name of Sannamma and that the Karnataka Sannamma

villages were to stand in the name of Ramaiyá grandson Ramakka driya.

4. Against this decision Sivan appealed to the Deputy Commissioner, who after a perusal of the record of the case, concurred in the opinion of the Sub-division officer and upheld the decision. The petitioners claim was not recognized and so he appealed to Government.

5. An agreement bearing a Canarese appears to have been effected in 1807, between the Curdiva Ramaiya and Timmappa, by which the first village, as noted in the margin above, was to be retained by Ramaiya and the other four by the younger branch of the

family, represented by Simakhin
the copy of the agreement as well
as the order from the Builder
to the Chief to accept the
agreement on behalf of the
Government and also the list
issued by the acting Principal
Superintendent of Aboriginal
Communities, the same (all of
which are in the record) that the
4 villages really did belong to
Simakhin's side of the family.
The Petitioner has not questioned
the authenticity of these documents.

6. In the result, then it is
obvious from the Band Band-
-balote record of 1903-04, that
when Simakhin died, the
charge of the 4 villages de-
-volved on his son Shadrina,
and when the latter died, his widow
and his younger brother

Dayloon
Bnd. Card Dec 6

-ourjoye d the chairman's ad-
-dress of the village authori-
-ties during the journal Lawaiga
performance of the duties thereof
during the year. Chairman's address
was (then received) being a summary
of. Speech relative to plans
by the partners of the journal
the later Lawaiga, which was
to die, the guarantee of the three
villages to financially the
remainder of the to the between
Lawaka and Lawaiga. The Talek
Municipal Council report stating
going to Kakaka village at
the request of the Kakaka-
Lawaiga in order to transact
some business there, Lawaiga
was also unfavourable to travel
to the Talek office, thereby
which the Lawaiga Municipality

to dispose of the villages in
the aforesaid manner and that
he, the deceased, thereupon
noted down the disposition
of Lanaiya, of his sons (viz-
-Manaiya the petitioner and of
his grandson Lanabhadraiya
all of which signify the ac-
-quiescence of the elements
in the said division of the
villages. But it is a question
if such a division of all
villages by Lanaiya among
his own descendants (viz
his son the petitioner and
his first son) can exact
against the claim of the
branch of the family which
has all along held four of
these villages. The petitioner
instead of claiming a

Plaintiff's suit of the Williams
vs. The Insurance of the Hartford
Company to recover the
Total Loss in the Burning of the
Office Records of the Family,
Merely because the Grantee,
while dying said, that all
were to go to their use & his
Executors.

8. The records of the Case
are submitted, herewith, together
with the Exhibits of the
Insurance Company.

I have the honor to be,

Sir,

Your most obedient Servant

[illegible]

by Counsel

Mrs

LR 75-97 4

Draft

(4)

To DJ Canr

No. 6352.
P. 863 dt 17.11.98 Bng. DE

Fm. Letter No. 709 dt 27/11/97
reporting on the petition of
Singaravanaya of Kabbala
Kanchanakka Taluk.

Referring to the above, I am
hereon to request that the
DJ Canr will be so good as
to report if Pukka settlement
has been introduced into
the taluk and if so into
how many charge the eleven
villages - of which petr's native
and his own Annapoorna were
formerly awarded - I have been
directed by Govt to observe that the
Survey Settlement was sanctioned
in 1895 in October 1896.

By order

15/11/98

LR 75-97-B

5994
Pet 443
1897

5

From

The Dy. Commissioner, of the
Bangalore District.

To

The Secretary to the
Govt. of Mysore
Revenue Depte

Dated 16th February 1898

Despatched

Received

General No.
No. 588

Enclosure No.

Petitioner's Memorial
dated 15th January
1898

Reports regarding the
appeal of Suryanarayan-
-na of Kadabala regarding
his claim to the Shan-
-brogi of Kadabala & the
villages in the Kanaka-
-halli Jahgir

Petitioner
10/1/98

Subd to the remarks and Rep.
Orders on pleas
(The Survey & Settlement Generally
takes 2 or 3 years from the introduction
of the re-settlement to introduce
the New Rates. Settlement
This delay is due to arrear from
the demands on pottery account
returns of revenue from cultivated
occupied area on which the pottah
has to be calculated. Meddling
is also a subject of Complaint among
Shanbogues

24/2/98

Asst Commr
Send when probably
the Survey settlement
will be introduced

26-2-98

Draft

27/2/98

14/25/4/98

Mr Manohar
1/3 copies 28/4/98

Refer put up
AK
22/2/98

Draft
23/2/98

Bangalore District
Dy. Commissioner's Office
Bangalore 3 Feby 1898.

No 1088
E-2

To

The Secretary to the
Government of Coorg
Revenue and General Depart.

Sir,

In reply to your circular No. 6552 of the 1st January, 1898, calling for a further report on the appeal of Surgavaraswamy of Kaddale &c. praying his claims to the Shanbhogi of Kaddale and other villages of the Kandakatti estate, I have the honor to state that the Kakka Cutcherry has not as yet been introduced into the Kandakatti Estate.

2. The Cutcherry Sadr Peishcar's Officers Sadr No 422 dated 6th February 1898 is also submitted.

I have the honor to be
Sir
Your most obedient servant

Asst Commr Incl
in Ext Charge
Dy. Commissioner,
Bangalore District.

ಸಂಖ್ಯೆ 461 10/2/38

ಆಕ್ಷೇಪಣೆ 6868 485

ಸಂಖ್ಯೆ

ಆಕ್ಷೇಪಣೆ

LR 75-97-6

From

The Secretary to the Government
of Mysore

To.

The Deputy Commissioner
Bangalore District

Dated 7th January 1898

No. 5635-21
Pet 863

Ref his letter dt. 30th dated 27th December 98 reporting on the petition of Lingarajaiah of Kadabalu Kasthamballi Taluk

7 D 1282

Referring to the above, I am directed to request that the Deputy Commissioner will be so good as to report if extra Patti settlement has been introduced into the Taluk and if so into how many villages - & which petitioner's father and his cousin Honnajiah were joint kaipardars - have been divided. It is observed that the inter-

direction survey settlement was
sanctioned by Government in 896.

By order

Sd/- K. G. Rajagopalan Nair
Secretary.

25/6/38

638

Sd/-

869

LR 75-9-1

1898 (6)

From

The Secretary Lands & Survey Department

To

The Superintendent of Trig. Survey Wellington

Dated

Despatched

Received 8105 P 3.3.98

General No. P 1095 5

No.

Enclosures No.

Sir,

I am directed to request you to be good enough to state whether the Patetoka Polish settlement will be introduced into the Kaimanawa Valuation Block, under section 17 of the Settlement Act, which was surveyed by you in October 1896.

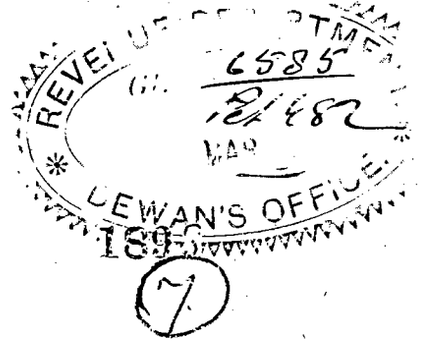
I have &c

for Secretary

3/3/98

LR 15-9-7-8

Gen. 30.]



(7)

Subd to 2nd Councillor with
all papers order on Comm's report
The case of Shrymanmaya
will have to be disposed of
on the existing data

M 17/3/98

7.30 Pm.
17.3.98

Mysuru marriage
Supreme Madhavaraya
Received
21.4.98

M 21/4/98

Subd to Rev Councillor
Eastern Dn

with papers
M 22/4/98

Recd. 22.4.98
6 P.M.

20 papers

1) Posted for hearing
2) Advise parties & the pet^r
(Shrymanmaya I), Shrymanmaya
Ramachandrayya

II

DC
M 25/5/98

From The Chief Mysore Resident
Survey

To
The Chief Secretary to the
Govt. of Mysore.

Dated 10th March 189 8.

Despatched

Received

Enclosure No.

General No. 613
No.

In reply to

SUBJECT

Intimating that the Patta
Pottage cannot be introduced
into the Nandanhalli Taluk
for at least 2 years.

M
12.3.98

Recd 14/3

References (to be entered only in the Dewan's Office).

Papers sent to

MC
14/3/98

Mem. Mysore
Dept
15/3/98

No 613.

Survey Department Office
Bangalore 9th Oct 1893

To

The Secretary to the
Government of Bombay
Rev and Agriculture
Dept

Sir

In reply to your letter No 5125
Progs
dated 3rd October 1893 I have the
honor to state that the Parks
Fatgi cannot be introduced into
the Taluk of Kowthalli for
at least 2 years owing to the
large extent of waste land given
out at Settlement for cultivation
and the necessary measurement
and correction of the boundaries
maps all of which work will take
some time

I have the honor to be
Sir
Your most obedient Servant
[signature]
Superintendent Survey

(9) 2 Drafts

LR 75-97

Proceedings of the Govt of Bombay

a/p 150 1897-8

Appellant — Suryanarayya son of Ramayya
Respondents — (1) Suryanarayya son of Bhadrayya
Read: — (2) Ramabhadrayya

(1) Petition of appeal No 15/333 of 1897-98 presented by Suryanarayya son of Ramayya of Kabbala, Kankallu Taluk against the order of the Commr of Bangalore confirming that of the Sub Dr confirming that of the Sub Dr officiating Collector rejecting the appellants claim to the Shanbhogi of Sankala and 3 other villages, based upon the alleged will of his father Ramayya in whose name the registry of the Shanbhogi of these and 7 other villages stood and directing that Suryanarayya son of Bhadrayya should be

Draft for approval
(Pass the draft with the heard)
Sub Dr & Res Cr E Dy

15/7/98

Read 7.30 pm
15-7-98

Dep Secy to Govt
Judl Department

18/7/98

9320 appl

P. 7. 98

19-7-98

the Shanbhog of the 4 villages which fell to the share of his grandfather Annaji at the settlement of 1839, and that the appellant's nephew Ramabhadra should be the Shanbhog of the remaining 7 villages which fell to Ramaji's share.

(2) Letter No 709 dated 25th November 1897, from the Dy Com^r Bangalore District, reporting on the above, and submitting the records connected with the case.

(3) Correspondence ending with letter No 613 dated 10th March 1898, from the Supt^t Inspr Revenue Survey stating that the Pakka Police settlement cannot be introduced into the Kankenhalli Taluk for at least 2 years.

——n—— order.

(53)

Order-No. 603.
R.T.-7-38, 2/22 2.7.38

Advt
The Hble commr also taken action
KL

At the hearing, the respondents admitted that the appellants were in possession of the 2 villages and that they were in possession of the rest as shown below:-

I Suryanarayanaiya son of Ramia (appellant) { 1 Kenchandalli, 2 Goravanpura

II Suryanarayanaiya son of Bhadraiya (1st Respt) { 3 Bilpatrapura, 4 Alur, 5 Suvvakalli, 6 Maralavankalli, 7 Kambasagara

III Ramakhedraiya (2nd Respondent) { 8 Kabbalu, 9 Kurubarahalli, 10 Kalasamaradahalli, 11 Hoarahalli

2. Govt direct that the present possession should not be disturbed till the Palike Patigi settlement when the villages will be distributed into suitable charges under Rule XXIX of the

Belgic Rules of 1874, and when the respective claims of the parties should be considered and disposed of

Draft

for Secretary

To
Mil. Ry Commissioners
Pamplona Dist with encl.

17/7/880

(8)

LR 75-97-10

By Order

Draft:

Asst. Secretary.

By Order

Asst. Secretary.